

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

April 20, 2010

Lyle W. Cayce
Clerk

No. 08-60438

Conference Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

BIANCA FABIONE VEREEN,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 1:01-CR-50-1

Before SMITH, PRADO, and HAYNES, Circuit Judges.

PER CURIAM:*

Bianca Fabione Vereen, federal prisoner # 06290-043, appeals the district court's denial of her 18 U.S.C. § 3582(c)(2) motion to reduce her sentence based on the amendments to the crack cocaine Guideline. Vereen's appeal waiver does not bar this appeal. *See United States v. Cooley*, 590 F.3d 293, 296-97 (5th Cir. 2009). The Government's motion to dismiss the appeal is DENIED.

Vereen argues that, in light of *United States v. Booker*, 543 U.S. 220 (2005), the district court was authorized to reduce her sentence based on the new

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

advisory guidelines range and after consideration of the 18 U.S.C. § 3553(a) factors. She also contends that her career offender status did not preclude the court from reducing her sentence. These issues are foreclosed by this court's decisions in *United States v. Anderson*, 591 F.3d 789, 790-91 (5th Cir. 2009), and *United States v. Dublin*, 572 F.3d 235, 236-39 (5th Cir.), *cert. denied*, 130 S. Ct. 517 (2009). The judgment of the district court is AFFIRMED.